

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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JOHNATHAN O. DANIELS,

Plaintiff,

-v-

9:20-CV-655

UNITED STATES PROBATION,

Defendant.

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APPEARANCES:

OF COUNSEL:

JOHNATHAN O. DANIELS

Plaintiff, Pro Se

09000554

Onondaga County Justice Center

555 South State Street

Syracuse, NY 13202

HON. ANTOINETTE T. BACON

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EMER M. STACK, ESQ.

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DAVID N. HURD

United States District Judge

**ORDER ADOPTING REPORT & RECOMMENDATION**

On June 11, 2020, pro se petitioner Johnathan O'Neal Daniels

("petitioner") filed this petition for a writ of habeas corpus pursuant to 28

U.S.C. § 2241. Dkt. No. 1. Petitioner challenges a U.S. Marshal detainer

that has been in place since August 6, 2018. *Id.*; *see also* Dkt. No. 6 (amended petitioner). Broadly stated, petitioner seeks to have the detainer removed so he can post bail on the local charges for which he is currently being detained at the Onondaga County Justice Center. *Id.*

On May 27, 2021, U.S. Magistrate Judge Daniel J. Stewart advised by Report & Recommendation (“R&R”) that petitioner’s amended petition be dismissed. Dkt. No. 29. Petitioner has not filed objections to the R&R, and the time period in which to do so has expired.

Upon review for clear error, the R&R is accepted and adopted in all respects. *See* FED. R. CIV. P. 72(b).

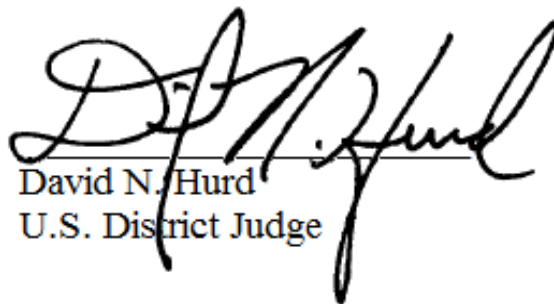
Therefore, it is

ORDERED that

1. The Report & Recommendation (Dkt. No. 29) is accepted and adopted;
2. Plaintiff’s amended petition is DENIED and DISMISSED; and
3. No certificate of appealability shall be issued.

IT IS SO ORDERED.

Dated: June 23, 2021  
Utica, New York.

  
David N. Hurd  
U.S. District Judge